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ABELMAN, FRAYNE & SCHWAB
666 THIRD AVENUE, 10TH FLOOR
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In re Application of
Steve Krupa
Application No. 10/589,089
Filed: August 9, 2006
Attorney Docket No. 207,775

OFFICE OF PETITIONS

DECISION GRANTING
PETITION

This is a decision on the petition filed by facsimile transmission on December 1, 2006, requesting that the above-identified application be accorded a filing date of August 9, 2006, rather than the presently accorded date of August 10, 2006.

Petitioner alleges that the application was deposited in Express Mail Service on August 9, 2006. In support, the petition is accompanied by a copy of Express Mail label No. ER 059676025 US, which bears a USPS receipt date stamp of August 9, 2006. It is noted that the Application Transmittal Letter contained the same Express Mail label number.

The Office considers the date the paper or fee is shown to have been deposited as "Express Mail" to be the "date-in" on the Express Mail label, MPEP 513. Since the evidence is convincing that the application was in the hands of a U. S. Postal Service employee on August 9, 2006, the petition is GRANTED.

This application file is being forwarded to the Office of Initial Patent Examination (OIPE) for correction of the filing date to **August 9, 2006, and for issuance of a corrected filing receipt.**

Telephone inquiries relating to this decision should be directed to Andrea Smith at (571) 272-3226. Telephone inquiries related to OIPE processing should be directed to their hotline at (571) 272-4000.

Sherry D. Brinkley
Petitions Examiner
Office of Petitions